

Amended Requested Hearing Date: September 14, 2022 at 10:00 a.m.
Opposition Date: July 1, 2022
Reply Date: August 15, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION	:	
CORPORATION,	:	
	:	
Plaintiff-Applicant,	:	SIPA Liquidation
	:	
v.	:	No. 08-01789 (CGM)
	:	
BERNARD L. MADOFF INVESTMENT	:	(Substantively Consolidated)
SECURITIES LLC,	:	
	:	
Defendant.	:	
-----	X	
In re	:	
	:	
BERNARD L. MADOFF,	:	
	:	
Debtor.	:	
-----	X	
IRVING H. PICARD, Trustee for the Liquidation	:	
of Bernard L. Madoff Investment Securities LLC,	:	
	:	Adv. Pro. No. 10-05345 (CGM)
Plaintiff,	:	
	:	ORAL ARGUMENT REQUESTED
v.	:	
	:	
CITIBANK, N.A., CITICORP NORTH	:	
AMERICA, INC., AND CITIGROUP GLOBAL	:	
MARKETS LIMITED,	:	
	:	
Defendants.	:	
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**AMENDED NOTICE OF THE CITI DEFENDANTS'
MOTION TO DISMISS THE AMENDED COMPLAINT AND
HEARING ON MOTION TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of their Motion to Dismiss the Amended Complaint filed on April 22, 2022 in the above-captioned action, the accompanying Declaration of Carmine D. Boccuzzi, Jr. filed on the same date, and all prior

pleadings and proceedings herein, Defendants Citibank N.A., Citicorp North America, Inc., and Citigroup Global Markets Limited (collectively, the “Citi Defendants”) will move this Court for an order dismissing with prejudice the Amended Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure;

PLEASE TAKE FURTHER NOTICE that pursuant to this Court’s April 11, 2022 Order, Adv. Pro. No. 10-05345 (Dkt. No. 219), any opposition briefs to this motion are due July 1, 2022 and replies are due August 15, 2022;

PLEASE TAKE FURTHER NOTICE that the Citi Defendants respectfully request that their Motion to Dismiss be heard before the Honorable Chief Judge Cecelia G. Morris, United States Bankruptcy Judge, on September 14, 2022 at 10:00 a.m., or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that this motion is without prejudice to the Citi Defendants’ rights to seek dismissal on other grounds, and that all defenses are expressly preserved; and

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules

of Bankruptcy Procedure, the Citi Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: April 25, 2022
New York, New York

CLEARY GOTTlieb STEEN & HAMILTON LLP



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